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# TRANSMITTAL FORM

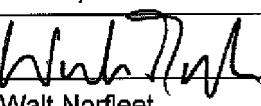
(to be used for all correspondence after initial filing)

	Application Number	10/775,767-Conf. #8715
	Filing Date	February 10, 2004
	First Named Inventor	Andrew H. Fischer
	Art Unit	1797
	Examiner Name	W. H. Beisner
Total Number of Pages In This Submission		Attorney Docket Number U0120.70019US00

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> <li>• REFERENCE</li> <li>• COMMUNICATION RE: IDS OF 11/10/08 AND NOTICE OF IMPROPER RCE OF 12/3/08</li> </ul>
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	WOLF, GREENFIELD & SACKS, P.C.		
Signature			
Printed name	Walt Norfleet		
Date	1/9/09	Reg. No.	52,078

**Certificate of Electronic Filing Under 37 CFR 1.8**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: 1/9/09

Signature:   
Lisa R. Puopolo

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<i>Effective on 12/08/2004.</i> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <b>FEE TRANSMITTAL</b> <b>For FY 2009</b>		<b>Complete if Known</b>	
		Application Number	10/776,767-Conf. #8715
		Filing Date	February 10, 2004
		First Named Inventor	Andrew H. Fischer
		Examiner Name	W. H. Beisner
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	1797
TOTAL AMOUNT OF PAYMENT (\$)		Attorney Docket No. U0120.70019US00	

**METHOD OF PAYMENT** (check all that apply)

<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> Note	<input type="checkbox"/> Other (please identify): _____
<input type="checkbox"/> Deposit Account	Deposit Account Number: 23/2825		Deposit Account Name: Wolf, Greenfield & Sacks, P.C.	

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input type="checkbox"/> Credit any overpayments

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

**2. EXCESS CLAIM FEES**Fee Description

	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>
Each claim over 20 (including Reissues)		52	26
Each independent claim over 3 (including Reissues)		220	110
Multiple dependent claims		390	195

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
75	- 84 or HP	x =		<u>Fee (\$)</u> <u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	
4	- 4 or HP	x =		

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

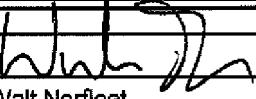
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/50 =	(round up to a whole number) x =		

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00

<b>SUBMITTED BY</b>				
Signature			Registration No. (Attorney/Agent)	52,078
Name (Print/Type)	Walt Norfleet		Telephone	617.646.8000
			Date	1/9/09

**Certificate of Electronic Filing Under 37 CFR 1.8**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.8(a)(4).

Dated: 1/9/09

Signature:  Lisa R. Puopolo

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrew H. Fischer  
Serial No.: 10/775,767  
Confirmation No.: 8715  
Filed: February 10, 2004  
For: METHOD AND APPARATUS FOR PREPARING CELLS FOR  
MICROTOME SECTIONING AND ARCHIVING NUCLEIC ACIDS  
AND PROTEINS  
Examiner: W. H. Beisner  
Art Unit: 1797

Certificate of Electronic Filing Under 37 CFR 1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: January 7, 2009

Signature: 

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

COMMUNICATION REGARDING INFORMATION DISCLOSURE STATEMENT OF  
NOVEMBER 10, 2008 AND NOTICE OF IMPROPER REQUEST FOR CONTINUED  
EXAMINATION OF DECEMBER 3, 2008

Dear Madam:

Applicant submits herewith a revised copy of the Information Disclosure Statement (IDS) submitted on November 10, 2008, and provides herewith the fee as required under 37 C.F.R. 1.17(p).

The Information Disclosure Statement submitted on November 10, 2008 was inadvertently accompanied by a Request for Continued Examination under 37 C.F.R. 1.114 (RCE) and without a fee under 37 C.F.R. 1.17(p). The United States Patent and Trademark

Office (USPTO) subsequently issued a Notice of Improper Request for Continued Examination.

Applicant recently discussed this Notice with Wanda D. Mitchell of Technology Center 1700 and was advised that the improper RCE would be ignored by the United States Patent and Trademark Office. Accordingly, Applicant resubmits the IDS with the appropriate fees under 37 C.F.R. 1.17(p), given that the RCE is being ignored by the USPTO, such that the IDS and reference cited therein will be considered by the Examiner.

Dated: 1/9/09

Respectfully submitted,

By Walt Norfleet

Walt Norfleet  
Registration No.: 52,078  
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